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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/202,107	03/08/1999	EIJI MURAMATSU	9319S-000082	2484

7590 06/09/2003
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EXAMINER

NGUYEN, DUNG T

ART UNIT PAPER NUMBER

2871

DATE MAILED: 06/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/202,107

Applicant(s)

Muramatsu

Examiner

Dung Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 24, 2003
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 5, 13, 15-21, 23-27, and 30-33 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 5, 13, 15-21, 23-27, and 30-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 21 6) ☐ Other:

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/24/2003 has been entered.

Applicants' amendment dated 02/24/2003 has been received and entered.

2. Applicant's arguments dated 02/24/2003 have been considered but are moot in view of the new grounds of rejection as follows:.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the resistance element and the capacitor locating between the first and the second substrates and connecting to the liquid crystal driving IC must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

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Claim Objections

4. Claim 4 is objected to because of the following informalities: claim 4 would be depended on claim 1 instead of canceled claim 3 . Appropriate correction is required.
5. Claim 32 is objected to because of the following informalities: "Display" should be changed to --display--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claims 32-33 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 32-33, the amendment found throughout the claims has the purpose of adding the limitation of "a resistance element disposed between the pair of substrates". Such amendment has no support in the original specification.

Applicant is required to cancel the new matter in the reply to this Office action.

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Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 4-5, 13, 15-18, 20-21, 23, 25-27 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brewer, US Patent No. 5,289,301, in view of Yuda et al., JP 8-148313.

Regarding the above claims, Brewer's figures 1-3 which disclose a display unit comprising:

- . a pair of substrates (2, 3);
- . a plurality of electrodes (4);
- . alignment layers (5);
- . a driving integrated circuit (IC)(10) formed on at least one of the pair of substrates (figure 3) to supply a first voltage to at least one of the plurality electrodes;
- . a resistance element (variable potentiometer 19 or 22) used for varying voltage for IC;
- . a capacitor (figure 8) inherently stabilizing the voltage imposed on the liquid crystal;
- . a first sealant member (8) formed between two substrates.

Although Brewer does not explicitly disclose the resistance element formed to prescribed pattern and having the same material (e.g., ITO) as electrode, Yuda et al. do disclose a variable

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potentiometer comprising resistance patterns (e.g., 2a, 2b) made by a conductive material (see figure 3). Therefore, it would have obvious to one skill in the art at the time of the invention was made to employ the Brewer's resistance having prescribed pattern as shown by Yuda et al. In order to decrease the number of terminals and components thus reducing the labor on the user side (see abstract). Furthermore, it would have been obvious to use an ITO material as a based material for a resistance pattern, so as it would have the same material as that of electrodes of the display unit because it is a common practice in the art to use ITO as a good conductivity for electrode and the use of one conventional material over another merely depends on the desire of the manufacturer and/or the availability and practicality of the material for the chosen manufacturing process.

10. Claims 19 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brewer, US Patent No. 5,289,301, in view of Yuda et al., JP 8-148313, further in view of Nonomura et al., US Patent No. 4,385,292.

Regarding the above claims, the modification to Brewer discloses the claimed invention as described above except for a second sealant member formed outboard of the peripheral circuit. Nonomura et al. do disclose a second sealant member (63) can be formed outboard of the driving circuit (see figure 9). Therefore, it would have obvious to one skill in the art at the time of the invention was made to modify the Brewer's unit having a driving IC which disposed on at least one of substrates of the display unit sealed by the second sealant as shown by Nonomura et al. in order to protect a peripheral circuit in a display unit (see col. 9).


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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Dung Nguyen whose telephone number is (703) 305-0423. The fax phone number for this Group is (703) 308-7722.

Any information of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-0956.

DN
05/28/2003


Dung Nguyen
Patent Examiner
GAU 2871